

February 9, 2026

VIA IZIS ONLY

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street, N.W., Suite 200-S
Washington, D.C. 20001

Re: Z.C. Order No. 21-18 (the "**Order**") – Application of Dance Loft Ventures, LLC (the "**Applicant**") for a Two-Year Time Extension of the Deadline to Commence Construction at 4618 14th Street, NW (Square 2704, Lots 64, 815, 819, 821, 823, 828, 830, 831, 832, and 833, and collectively, the "**Property**")

Dear Chairman Hood and Commissioners:

The Applicant respectfully requests a two-year extension of the period to commence construction of the "Project" (as defined in the Order) that the Zoning Commission approved as a Consolidated Planned Unit Development and related amendment to the Zoning Map (collectively, the "**PUD**") in the Order. The Applicant seeks this time extension pursuant to Subtitle Z § 705 of the District of Columbia Zoning Regulations.

The Order (a) provides that the PUD is valid for a period of two years from the effective date of the Order and requires that a building permit application for the Project be filed within that two-year period and (b) requires construction of the Project to commence within three years of the effective date of the Order. The Order became final and effective on February 10, 2023. The Applicant filed an application for a building permit (B2310081) on August 25, 2023, satisfying the first timing condition of the Order.

The Applicant does not anticipate commencing construction pursuant to the PUD within three years of the effective date of the Order. Accordingly, the Applicant now seeks a two-year extension of the deadline to commence construction, that is until February 10, 2028 to allow additional time to advance the Project toward construction.

As discussed below, extraordinary economic, financing, and construction-related conditions—largely beyond the Applicant's reasonable control—have impeded the Applicant's ability to proceed on the original timeline, notwithstanding diligent and good-faith efforts. Importantly, no material facts underlying the Commission's approval of the PUD have changed, and the Project continues to advance the Comprehensive Plan, the Central 14th Street Vision Plan and Revitalization Strategy, and other applicable District policies. Granting the requested extension will preserve the substantial public benefits secured through the PUD process, including affordable housing, sustainable design, and the long-term preservation of a vital arts institution.

I. BACKGROUND

The Property is located in the Northwest quadrant of the District of Columbia, fronting on 14th Street, NW, within Ward 4, and Advisory Neighborhood Commission (“ANC”) 4C. The Property is currently improved with buildings housing Dance Loft on 14, a long-standing nonprofit community performing arts organization, as well as several small retail tenants.

The Order approved (a) a consolidated PUD pursuant to Subtitle X, Chapter 3; and (b) a PUD-related Zoning Map amendment rezoning the Property from the MU-3A zone to the MU-5A zone.

The approved PUD authorizes the redevelopment of the Property with a mixed-use building of approximately 113,546 square feet of gross floor area, including approximately 101 residential units. Approximately two-thirds of the residential are to be affordable at a mix of 30%, 50%, and 60% of MFI. In addition, the Project includes ground-floor arts, assembly, and retail uses. The Project is designed to permanently accommodate Dance Loft on 14, preserving and expanding a valued cultural and community asset, while also delivering a substantial number of deeply affordable and family-sized housing units.

The Order has not been previously extended or modified.

II. JURISDICTION AND APPLICABLE STANDARDS

The Zoning Commission has jurisdiction to grant the requested time extension pursuant to Subtitle Z § 705.

Under Subtitle Z § 705.2, the Commission may extend the validity of an approved PUD for good cause shown, provided that (a) the extension request is filed before the expiration of the approval and served on all parties; (b) there has been no substantial change in material facts that would undermine the basis for the Commission’s original approval; and (c) the applicant demonstrates good cause for the extension pursuant to Subtitle Z § 705.2(c).

Under Section 705.2(c), criteria satisfying the foregoing “good cause” prong include (1) an applicant’s “inability to obtain sufficient project financing for the development, following an applicant’s diligent good faith efforts to obtain such financing, because of changes in economic and market conditions beyond the applicant’s reasonable control” and (3) “The existence of . . . other condition[s], circumstance[s], or factor[s] beyond the applicant’s reasonable control that render[] the applicant unable to comply with the time limits of the order”.

III. NO PREJUDICE AND NO MATERIAL CHANGE IN FACTS

Granting the requested extension will not prejudice the rights of any party. Other than the Applicant, the parties to the original PUD proceeding were ANC 4C, and Friends of Fourteenth Street, an unincorporated group of residential neighbors of the Property. The Applicant has continued to engage with the ANC and remains committed to transparency and collaboration regarding the future of the Project.

This time extension request does not alter the approved density, height, use mix, or public benefits of the PUD, nor does it expand the scope of the approved development in any way. Moreover, there has been no substantial change in the material facts upon which the Commission relied in approving the PUD. The Project remains fully consistent with the Comprehensive Plan, the Rock Creek East Area Element, and the Central 14th Street Vision Plan. The public benefits package approved by the Commission—including

affordable housing, family-sized units, arts and cultural space, and sustainability commitments—remains intact and enforceable.

IV. GOOD CAUSE EXISTS FOR THE REQUESTED EXTENSION

Good cause exists for granting the requested two-year extension pursuant to Subtitle Z § 705.2(c)(1) and (3). The Applicant's inability to proceed within the original timeframe results from a convergence of economic, financing, and construction-related conditions beyond the Applicant's reasonable control.

A. Post-Pandemic Economic and Market Conditions

The Project was approved in 2022 as the District, and the broader real estate market, were emerging from unprecedented pandemic-related disruption. Since that time, the multifamily affordable housing market in the District has faced sustained volatility, including rising construction costs, interest rate spikes, supply-chain disruptions, and critically for the Project, a reduction in available public subsidy for affordable housing. These conditions have had an outsized impact on projects, such as this one, that rely on layered public and private financing to achieve deep affordability and preserve community-serving nonprofit uses.

B. Financing Challenges

The prolonged period of elevated interest rates has significantly constrained the availability and feasibility of construction and permanent financing, particularly for mixed-use projects with substantial affordable housing components. Securing financing for a project that combines deeply affordable housing with nonprofit arts space has proven especially challenging in the current capital markets, despite the Applicant's diligent and good-faith efforts.

Because of the Project's significant levels of affordable housing, the Project requires District financial subsidies. However, those subsidies became significantly scarcer after the Order was approved.

In the period since the Order was approved, the District significantly reduced the amount of public funding available to newly-constructed affordable housing, focusing District subsidies instead on preservation projects. For instance, the District's subsidy to the "Housing Production Trust Fund" ("**HPTF**"), one of the most important sources of funding for affordable housing in the District, decreased from \$175 million in FY2023 to \$80 million in FY2025.¹ At the same time, the HPTF increased the amount of funding going to "housing preservation" rather than "multi-family development". In FY2023, housing preservation received less than \$2 million in HPTF funding, and in FY2025 that amount increased to \$12 million. Public funding for new multi-family housing development under the HPTF decreased in overall amount and as a focus of the HPTF mission.

Compounding the complication of relying on HPTF subsidy for the Project, the subsidy is available only during certain windows of time when the District Department of Housing and Community Development issues requests for applications for funding. Those requests are sometimes issued only once per year limiting the Applicant's ability to move quickly toward construction. The Applicant has expended significant resources seeking a building permit to be ready to commence construction when subsidy is available to commence construction of the Project.

¹ See DC Office of the Chief Financial Officer, Housing Production Trust Fund, Table UZ0-4, *available at* https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/uz_hptf_chapter_2026o.pdf

C. Construction Cost Escalation and Complexity

Compounding the challenges of constructing the Project, construction costs for mid-rise, mixed-use buildings in the District have continued to increase since the Project's approval. These increases affect not only base construction costs but also the "four-sided front" design of the building facades and the specialized design and sound-attenuation requirements necessary to accommodate performing arts uses below and adjacent to residential units. The Applicant continues to refine the Project's design and financing structure to address these challenges without compromising the public benefits secured through the PUD.

V. CONTINUED COMMITMENT TO PUBLIC BENEFITS AND COMMUNITY GOALS

Throughout this period, the Applicant has remained steadfastly committed to the objectives of the PUD approval. Dance Loft on 14 continues to operate and serve the community, providing arts education, performances, and cultural programming to District residents, including underserved populations. The requested extension will allow the Applicant to advance the Project in a manner that ensures long-term viability and faithful implementation of the Commission-approved public benefits.

Importantly, allowing the PUD approval to lapse would jeopardize the carefully balanced outcome achieved through the PUD process, including the permanent preservation of Dance Loft and the delivery of significant affordable, family-sized housing along a major corridor.

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully submits that it has demonstrated good cause for the requested two-year extension of the period to commence construction of the Project approved in the Order.

Granting this extension will preserve the substantial public benefits approved by the Commission, avoid prejudice to any party, and will further the District's housing, arts, and equitable development goals.

The Applicant therefore respectfully requests that the Zoning Commission grant a two-year extension of the period for the Applicant to commence construction of the Project, that is, until February 10, 2028.

VII. EXHIBITS

In support of this extension request, attached are the following Exhibits:

- Exhibit A – Z.C. Order No. 21-18;
- Exhibit B – Authorization Letter from the Applicant and Application Signature Page; and
- Exhibit C – Affidavit from the Applicant.

Under separate cover, the Applicant has hand delivered to the Office of Zoning a check made payable to the "DC Treasurer" in the amount of \$1,500 for this extension request pursuant to Subtitle Z, Section 1600.10 of the Zoning Regulations. (Per Subtitle Z § 1600.10(c), the filing fee for a time extension is the greater of \$1,500 or ten percent of the original hearing fee. The hearing fee for the Application was \$9,261.00 per Exhibit 35 of Z.C. Case No. 21-18.)

Thank you for your consideration of this request.

Respectfully submitted,

Jeff C. Utz

David A. Lewis

Attorney-in-Fact

On behalf of the Applicant

Dance Loft Ventures, LLC

Certificate of Service

I hereby certify that a copy of the foregoing document together with all attached exhibits was sent to the following by email only by no later than February 10, 2026:

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/s/
David Lewis
Attorney-in-Fact
On behalf of the Applicant
Dance Loft Ventures, LLC